

TOWN OF ESSEX
Inland Wetlands and Watercourses Commission
29 West Avenue
Essex, CT 06426
essexct.gov

MINUTES

Regular Meeting - November 1, 2011

Call to Order and Seating of Members

The regularly scheduled meeting of the Essex IWWC was conducted on November 1, 2011 in Room A of the Essex Town Hall at 7:30 p.m. Those members in attendance were Chair, Daniel Lapman, Chuck Corson, Nancy Arnold, Steve Knauth and Fred Szufnarowski. Also in attendance were Stella Beaudoin, Recording Secretary and Joe Budrow, Wetlands Enforcement Agent and Zoning Enforcement Agent.

Fred Szufnarowski was seated for Claire Tiernan.

Steve Knauth was seated for Barbara Zernike.

Mr. Lapman called the meeting to order at 7:30 p.m.

New Business

Application 11-14 for property of Tim and Patricia Pickering located at 9 Ingham Hill Road, Essex, CT, Map 78 Lot 1, RU Zone. This is an application to construct a 15' x 16' addition to expand a kitchen within the primary dwelling. The proposed addition would be approximately 60' from the edge of the brook and 45' from the limit of the flood plain.

Tim Pickering presented on behalf of this application. The proposed location for this addition is situated 60 feet from the stream and 45 feet from wetlands. This addition will be an expansion of the kitchen. The propane tank and the generator will be relocated to around the side of the house. Mr. Pickering stated that he plans to put in a crawl space comprised of plastic with stone over it.

Greg Peterson installed a new septic system last fall. Mr. Peterson will handle the excavation associated with this project. All fill will be removed from the site.

Chuck Corson noted for the record that there is no defined wetlands soil limit shown, so we are going by the 60-foot mark from the brook. While this proposal is definitely within the 100 foot, just how far in is not known at this time.

Motion made by Fred Szufnarowski to approve an **IW Permit on behalf of Application 11-14 for property of Tim and Patricia Pickering located at 9 Ingham Hill Road, Essex, CT, Map 78 Lot 1, RU Zone.** This is an application to construct a 15' x 16' addition to expand a kitchen within the primary dwelling. The proposed addition would be approximately 60' from the edge of the brook and 45' from

the limit of the flood plain. This is an application for an accessory structure. Based on the documents presented and on the testimony given at this meeting, the Commission finds that the proposed activity is a regulated activity not involving significant or major effect upon the inland wetlands or watercourse which occur on the property as defined in Section 2.2, and that no reasonable or prudent alternative exists to the proposed plans. The Commission members feel that the proposed activities are well suited to the area.

The Commission makes a Summary Ruling and grants a permit and permission for the applicant to proceed with proposed activity as stated on said application and as shown on plans accompanying the application, subject to the following conditions:

1. The proposed relocation of the gas cylinder and the generator is on the stream side of the house and they both must be placed no closer to the stream than the edge of the house.
2. In accordance with the Commission's Regulations, the activity pursuant to said permit shall be initiated within 5 years of the date of publication and shall be completed within one year of the date of initiation and will occur between March 15th and October 15th of the year of initiation.
3. Should the applicant determine that the permitted activity will not be completed between March 14th and October 15th of the year of initiation, the applicant agrees to appear before the Commission and present a plan for the stabilization of the site during the non-permitted months.
4. The applicant agrees to follow the advice and direction of the Town of Essex Enforcement Officer with regard to any field changes she/he deems necessary or may require for the protection of the inland wetlands and water course during the process.
5. The Commission, through its Enforcement Officer, shall be notified in writing upon the initiation of the authorized activity and again upon completion of these activities

Motion seconded by Nancy Arnold and passed unanimously. Motion carried 5/0.

Application 11-15 for property of William and Sandra French located at 14 Rackett Lane, Essex, CT, Assessor's Map 51 Lot 9, RU Zone. This is an application to extend the swale another 30 to 40' to a point approximately 10 feet from the river. The swale is to be lined with rock gravel and pitched to keep water from back flowing into the footing drain, especially during the winter months when the discharged water would freeze causing ice to dam.

Wayne French presented on behalf of this application. Mr. French stated that there are two 6" drainage pipes which come out under the driveway and go down through the property and end 75 feet from the edge of the water. Although the swale was installed from the end of the tile to the river, the water that constantly drains from around the foundation into those pipes has washed away the soil. Mr. French proposes to move the pipe down so the water will drop 6" before it hits the dirt. He will place a sufficient amount of rocks so that the drainage will no longer occur. Mr. French was informed that if the water flow continues to drain directly into the rock it will eventually freeze and cause a backup of water into the foundation.

Based on the previously issued permit for **Application 8-09, property located at 14 Racketts Lane, Essex (Map 51 Lot 009)** by Michael Ott, P.E., L.S., on behalf of Michael Picard, a condition placed on that Permit was for the installation of turf reinforcement mat with grass growing through it. Joe Budrow, Essex ZEO met Mr. French at the site and Mr. Budrow indicated that it appeared that there was no previously installed rip rap swale. It appears there was once course of rock placed from the end of the pipe to the river. Mr. French noted that there is a constantly running stream from those pipes.

Mr. French stated that if he moves the pipe down another 50 feet, the existing slope will allow the water to run fast enough. Mr. French stated that he will cover that pipe and area with more grass and dirt.

Chuck Corson stated that the original Permit requirements need to be met and that if this permanent erosion control matting was installed 6" below the pipe, the water would spread out over the grass. If this was done correctly, the conditions of the previously issued permit would have been met.

Nancy Arnold questioned what would need to be done in order to bring this property into compliance.

Chuck Corson stated that in order to bring this property into compliance, it would need to be graded into a flatter swale with the erosion control matting and allow the grass to grow.

Mr. Budrow can work with Mr. French to bring this Permit condition into compliance with Mr. Budrow supervising the project. Mr. Budrow will test the site to be certain that the previous owner complied with the permit restrictions. IWWC members granted permission to Joe Budrow to make the necessary field decisions surrounding this application.

Motion made by Chuck Corson to table Application 11-15 for property of William and Sandra French located at 14 Rackett Lane, Essex, CT, Assessor's Map 51 Lot 9, RU Zone.

Motion seconded by Fred Szufnarowski and passed unanimously. Motion carried 5/0.

Other Business

Application 11-A4 Property of Michael and Debra Whalen located at 10 Fife Court, Ivoryton, CT, Assessor's Map 88 Lot 3, RU Zone. This is an application to locate a shed on the property. The proposed location is within the 100 foot upland review area and approximately 75-80 feet from the wetlands to the north. This is an agent-approved Permit that has been granted by Joseph Budrow, Essex WEO. Mr. Budrow stated that a temporary shed was placed on a bed of gravel and is situated 80 feet from any wetlands, with no impact to the wetlands.

Application 11-A5 by Bogaert Construction Company, 67 Main Street, Essex, CT, Assessor's Map 47 Lot 22, Waterfront Zone. This is an application for the location of a pedestrian archway entrance structure which will be constructed from cedar. The proposed location is along Main Street at a point that is in the 100 foot upland review area, approximately 88 feet from the water line. This is an agent-approved Permit that has been granted by Joseph Budrow, Essex WEO. The Archway runs from the foot of Main Street, Essex to the entrance of the CT River Museum. This proposal is 90-feet from the water

Application 11-A6 by Paul Vumbaco, Toby Hill Road, Essex, CT. This is an application for a 4-lot subdivision. This is an agent-approved Permit that has been granted by Joseph Budrow, Essex WEO. The lot with the wetlands will be given to the Essex Land Trust.

Approval of Minutes: Regular Meeting, October 11, 2011

The following changes were made to the Minutes and noted in italics:

- Page 2 first line, strike "*site inspection*"

- Page 3, first two paragraphs regarding Application 11-10; Mr. Corson noted that there are only two paragraphs embellishing on this application. Mr. Lapman asked Ms. Beaudoin, recording secretary to listen to the audio recording to determine if there were further comments regarding the pipe which extended from the wall.
- Page 3 regarding approval of IW Permit Application #11-10 for property of Andrew Guzewicz and Kelly A. Rock located at 12 Racketts Lane, Essex, CT; there are conditions of approval 1-6. The details of the “discussion” following the Permit approvals should be made condition #7 to read, *“The footbridge is excluded from this application. Applicant must submit more info before prior consideration is made”*.
- Page 4: third paragraph add, *“location”*.
- Page 5 third line, *“put weed bagging”*
- Page 6, 4th paragraph, remove the word *“if”* from the end of the sentence.

Motion made by Chuck Corson to approve the Minutes from the October 11, 2011 meeting, as amended.

Motion seconded by Nancy Arnold and passed unanimously. Motion carried 5/0.

Correspondence and Invoices

No correspondence. No invoices

Reports

Wetlands Agent:

- Joe Budrow reported on a wetland violation surrounding a multi-family residence across the street from the Ivoryton post office. This property slopes down to the river. A resident of the house drove into the phragmites with an ATV. It was suggested that Mr. Budrow send a letter to the property owner requiring the installation of a visible chain with a sign stating “no access.” A compliance deadline will be stipulated in the letter.
- Mr. Budrow reported on a dock which was installed on 15 Falls River Drive, Ivoryton, CT property owned by Amalia Coppolecchia. A previous Permit was granted by the IWWC on June 14, 2011 to construct a 30' x 30' detached garage on the north end of the property at a location 30' from the edge of the river. This application also proposed a 10' x 15' addition to the single-family dwelling. The addition will be located at the southwestern portion of the building and may be near the floodway area. IWWC members agreed that an amendment should be made to the previously approved Permit stating that it was the intent of the IWWC to approve the replacement of the damaged dock.

Motion made by Chuck Corson to amend **IW Permit Application #11-01** on behalf of **Amalia Coppolecchia, property located at 15 Falls River Drive, Ivoryton, CT** to include the approval of the IWWC for the replacement of the damaged dock.

Motion seconded by Steve Knauth and passed unanimously. Motion carried 5/0.

- Mr. Budrow indicated that he met with Doug Demarest, Essex Conservation Commission re the flooding issue at Viney Hill Brook Park.

Planning Commission Representative Claire Tiernan: No report.

Conservation Commission Representative Goody LeLash: No report.

Zoning Commission Representative Larry Shipman: No report.

Motion made by Dan Lapman to adjourn.

Motion seconded by Nancy Arnold and passed unanimously. Motion carried 5/0.

The regularly scheduled meeting of the Essex IWWC adjourned at 8:37 p.m.

Respectfully submitted,

Stella C. Beaudoin
Recording Secretary

The next meeting of the Essex Inland Wetlands and Watercourses Commission will be conducted on December 13, 2011.